

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

## VLADIMIR ULYANCHUK,

CASE NO. C13-1810JLR

Plaintiff,

## ORDER

V.

VIRGINIA M. NORRIS, et al.,

## Defendants.

On October 21, 2013, the court ordered Defendants Virginia M. Norris and John

Do to show cause why this case should not be remanded to Snohomish County Superior

Court of the State of Washington for lack of subject matter jurisdiction. (10/21/13 Order)

(Dkt. # 5.) Defendants did not file a response to the court's order (*see* Dkt.), and it

appears the court has no subject matter jurisdiction over this case.

As the court explained in its previous order, Defendants' N

As the court explained in its previous order, Defendants' Notice of Removal

invokes the court's subject matter jurisdiction but provides no proper basis for doing so,

alleging only that 'the Notice to Quit upon which the civil action is based incorporates by

1 reference federal law, viz., Title VII of the Emergency Economic Stabilization  
2 ‘Protecting Tenants at Foreclosure Act of 2009,’ 123 Stat. 1660 (“EESA”) . . . and hence  
3 a federal statute is drawn in question in this cause.” (10/21/13 Order at 1-2.)

4 It is not enough that a federal statute be “drawn into question.” Federal question  
5 jurisdiction requires that at least one claim “aris[e] under” federal law. 28 U.S.C. § 1331.  
6 An action “arises under” federal law if (1) federal law creates the plaintiff’s cause of  
7 action; or (2) the plaintiff’s right to relief necessarily depends on resolution of a  
8 substantial question of federal law. *Grable & Sons Metal Pros., Inc. v. Darue Eng’g &*  
9 *Mfg.*, 545 U.S. 308, 312 (2005).

10 Those conditions are not met here. This is an unlawful detainer action. (See  
11 Compl. (Dkt. # 1-1).) Federal law does not create this cause of action, nor is it readily  
12 apparent that Plaintiff’s right to relief necessarily depends on resolution of a substantial  
13 question of federal law or, indeed, any question of federal law at all. It is not enough for  
14 a federal statute to be somehow involved in the case. *Grable & Sons*, 545 U.S. at 312.

15 The court hereby ORDERS that this case be remanded to Snohomish County  
16 Superior Court. The court further ORDERS that pursuant to 28 U.S.C. § 1447(c) the

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1 clerk shall send a certified copy of the remand order to the clerk of Snohomish County  
2 Superior Court. Finally, the court ORDERS that the clerk shall close this matter.

3 Dated this 5th day of November, 2013.

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7 JAMES L. ROBART  
8 United States District Judge  
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